

House Study Bill 756

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON PAULSEN)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the voting requirements for actions by the
2 administrative rules review committee.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 6552YC 81
5 jr/je/5

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1 1 Section 1. Section 17A.4, subsection 6, Code 2005, is
2 amended to read as follows:
1 3 6. Upon the vote of ~~two-thirds~~ a majority of its members
1 4 the administrative rules review committee may delay the
1 5 effective date of a rule seventy days beyond that permitted in
1 6 section 17A.5, unless the rule was promulgated under section
1 7 17A.5, subsection 2, paragraph "b". This provision shall be
1 8 utilized by the committee only if further time is necessary to
1 9 study and examine the rule. Notice of an effective date that
1 10 was delayed under this provision shall be published in the
1 11 Iowa administrative code and bulletin.
1 12 Sec. 2. Section 17A.8, subsection 9, Code 2005, is amended
1 13 to read as follows:
1 14 9. Upon a vote of ~~two-thirds~~ a majority of its members,
1 15 the administrative rules review committee may delay the
1 16 effective date of a rule until the adjournment of the next
1 17 regular session of the general assembly. The committee shall
1 18 refer a rule whose effective date has been delayed to the
1 19 speaker of the house of representatives and the president of
1 20 the senate who shall refer the rule to the appropriate
1 21 standing committees of the general assembly. A standing
1 22 committee shall review a rule within twenty-one days after the
1 23 rule is referred to the committee by the speaker of the house
1 24 of representatives or the president of the senate and shall
1 25 take formal committee action by sponsoring a joint resolution
1 26 to disapprove the rule, by proposing legislation relating to
1 27 the rule, or by refusing to propose a joint resolution or
1 28 legislation concerning the rule. The standing committee shall
1 29 inform the administrative rules review committee of the
1 30 committee action taken concerning the rule. If the general
1 31 assembly has not disapproved of the rule by a joint
1 32 resolution, the rule shall become effective. The speaker of
1 33 the house of representatives and the president of the senate
1 34 shall notify the administrative code editor of the final
1 35 disposition of each rule delayed pursuant to this subsection.
2 1 If a rule is disapproved, it shall not become effective and
2 2 the agency shall rescind the rule. This section shall not
2 3 apply to rules made effective under section 17A.5, subsection
2 4 2, paragraph "b".

EXPLANATION

2 6 The administrative rules review committee has two powers
2 7 that enable it to delay the effective date of proposed rules.
2 8 Both powers must be exercised prior to the effective date of
2 9 the proposed rule. In both cases the delay must be imposed by
2 10 a vote of two-thirds, or seven of the committee's 10 members.
2 11 This bill would reduce that requirement to a majority, or six
2 12 of the 10 members.
2 13 LSB 6552YC 81
2 14 jr:nh/je/5